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March 31, 2004

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AND AGENCIES

Commissioner of Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Re: Amendment and Response  
Appl. No.: 09/873,409  
Filed: June 5, 2001  
Title: **A Gene Encoding a Multidrug Resistance Human P-Glycoprotein Homologue on Chromosome 7p15-21 and Uses Thereof**  
Inventor(s): Frank, *et al.*  
Atty. Dkt.: 7570/73298 (formerly 81994/279322)

Dear Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Amendment and Response Under 37 C.F.R. § 1.111; and
2. One return postcard.

Assistant Commissioner for Patents  
March 31, 2004  
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**CALCULATION OF ADDITIONAL FEES**

Applicant(s) have calculated additional fees as follows:

|  | No. After<br>Amendment | No. Previously<br>Paid for | No.<br>Extra | Rate      | Fee  |
|--|------------------------|----------------------------|--------------|-----------|------|
| <b>Total Claims Fee</b>                                    | 24                     | 25=                        | 0            | \$ 18.00  | 0.00 |
| <b>Independent Claims Fee</b>                              | 4                      | 5 =                        | 0            | \$ 78.00  | 0.00 |
| <b>Multiple Dependent Claims Fee<br/>(Previously Paid)</b> | 0                      | 0                          | 0            | \$ 280.00 | 0.00 |
| <b>Total Additional Claims Fee</b>                         |                        |                            |              |           | 0.00 |
| <b>Extension of Time Fee</b>                               |                        |                            |              |           | 0.00 |
| <b>TOTAL FEES DUE</b>                                      |                        |                            |              |           | 0.00 |

As indicated above, Applicants do not believe that any fees are due for the filing of this response. However, The Commissioner is hereby authorized to charge any fee deficiency with respect to this filing and any other fee required in connection with the present case, or credit any overpayment, to our Deposit Account No. 06-1135 under Order No. 7570/73298.

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY



Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicants

MAS:ct  
Enclosures



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Frank, *et al.*

Appl. No.: 09/873,409

Filed: June 5, 2001

For: **A Gene Encoding a Multidrug Resistance Human P-Glycoprotein Homologue on Chromosome 7p15-21 and Uses Thereof**

Group Art Unit: 1642

Examiner: Yu, M.

Atty. Dkt. 7570/73298  
(Formerly 81994/279322)

**Amendment and Response Under 37 C.F.R. §1.111**

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
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Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

In response to the Office Action dated December 31, 2003, Applicants respectfully request reconsideration of the above-captioned application in view of the following amendments and remarks.

**Amendments to the Claims** begin on page 2 of the present document.

**Remarks/Arguments** begin on page 4 of the present document.